

**IN THE CLAIMS:**

1 1.-22. (Cancelled).

1 23. (Currently Amended) A storage system, comprising:

2 a destination storage device configured to store a copy of data from a source stor-  
3 age device;

4 a first process configured to initiate a copy operation of the source storage device,  
5 wherein the copy operation ~~includes~~ is configured to copy ~~copying~~ each block of the  
6 source storage device to the destination storage device, wherein the copy operation ~~is be-~~  
7 ~~ing~~ performed in segments, ~~and wherein~~ and each segment being is a range of data bytes  
8 of the source storage device;

9 the storage system configured to receive a write request to modify a requested  
10 range of data bytes of the source storage device while the copy operation of the source  
11 storage device is in progress, wherein the write request to modify the requested range of  
12 data bytes is a write request range;

13 the storage system further configured to determine if the write request range falls  
14 within the range of data bytes of the source storage device being copied while the copy  
15 operation is in progress;

16 in response to determining that the write request range falls within the range of  
17 data bytes of the source storage device being copied while the copy operation is in pro-  
18 gress, the storage system is further configured to determine if a particular range of the  
19 range of data bytes of the source storage device to be modified by the write request range  
20 has already been written to a snapshot;

21 in response to determining that the particular range of the range of data bytes of  
22 the source storage device to be modified by the write request range has already been writ-  
23 ten to the snapshot, the write request is configured to be written to the source storage de-  
24 vice; and

25 in response to determining that the particular range of the range of data bytes of  
26 the source storage device to be modified by the write request range ~~have~~ has not already

27 | been written to the snapshot, a second process is configured ~~first~~ to copy the particular  
28 | range of the range of data bytes of the source storage device to the snapshot, ~~and then the~~  
29 | second process is further configured to write the write request to the source storage de-  
30 | vice.

1 | 24. (Currently Amended) The storage system of claim 23, ~~further comprising; wherein~~  
2 | the source storage device is organized in a RAID system.

1 | 25. (Currently Amended) The storage system of claim 23, ~~further comprising; wherein~~  
2 | the storage system is ~~operable~~ further configured, in response to determining the write re-  
3 | quest range falls within the range of bytes being copied, to hold the write request in a  
4 | cache and update a snapshot map.

1 | 26. (Currently Amended) The storage system of claim 23, ~~further comprising; wherein~~  
2 | a server configured to execute the first process and the second process ~~is executed on a~~  
3 | ~~file server.~~

1 | 27. (Currently Amended) The storage system of claim 26, ~~further comprising; wherein~~  
2 | the ~~file~~ server is operatively connected to a storage area network switch and the ~~file~~  
3 | server is further configured to communicate with the storage system through the storage  
4 | area network switch.

1 | 28. (Currently Amended) The storage system of claim 23, ~~further comprising; wherein~~  
2 | the process is ~~operable~~ configured to control multiple storage systems.

1 | 29. (Currently Amended) The storage system of claim 23, ~~further comprising; wherein~~  
2 | the write request includes SCSI commands.

1 30. (Currently Amended) The storage system of claim 23, ~~further comprising: wherein~~  
2 the storage system is ~~operable~~ further configured to send one or more commands by using  
3 an in-band protocol.

1 31. (Currently Amended) A method, comprising:  
2 starting a copy command from a source storage device to a destination storage  
3 device wherein the copy command copies each block of the source storage device to the  
4 destination storage device, the copy command being performed in segments and each  
5 segment specifying a range of data bytes of the source storage device;  
6 receiving a write request to modify a requested range of data bytes of the source  
7 storage device while the copy command is in progress, wherein the write request to mod-  
8 ify the requested range of data bytes is a write request range;  
9 determining if the write request range falls within the range of data bytes ~~being~~ of  
10 the source storage device being copied;  
11 determining, in response to the write request range ~~being falling within~~ the  
12 range of data bytes of the source storage device being copied, if a particular range of the  
13 range of data bytes of the source storage device to be modified by the write request range  
14 has already been written to a snapshot;  
15 writing, in response to the particular range of the range of data bytes of the source  
16 storage device to be modified by the write request range having already been written to  
17 the snapshot, the write request to the source storage device; and  
18 copying, in response to the particular range of the range of data bytes of the  
19 source storage device to be modified by the write request range having not already been  
20 written to the snapshot, the particular range of the range of data bytes to the snapshot, and  
21 then writing the write request to the source storage device.

1 32. (Currently Amended) The method of claim 31, ~~further comprising: wherein the~~  
2 source is organized using in a RAID system as the source.

1 33. (Currently Amended) The method of claim 31, further comprising:

2 in response to determining the write request range falls within the range of data  
3 bytes of the source storage device being copied, holding the write request command in a  
4 cache, and updating a snapshot map associated with the snapshot.

1 34. (Previously Presented) The method of claim 31, further comprising:  
2 executing the copy command by a replication manager.

1 35. (Currently Amended) The method of claim 31, further comprising:  
2 connecting a ~~file~~ server to a storage area network switch and communicating the  
3 ~~file server communicates~~ with a storage system through the storage area network switch  
4 to execute the copy command ~~the storage system~~.

1 36. (Previously Presented) The method of claim 31, further comprising:  
2 controlling multiple storage device controllers by a replication manager.

1 37. (Currently Amended) The method of claim 31, ~~further comprising:~~ wherein the  
2 write request comprises including a SCSI command in the write request.

1 38. (Previously Presented) The method of claim 31, further comprising:  
2 sending a storage system commands using one of an in-band protocol or an out-  
3 of-band protocol.

1 39. (Currently Amended) A computer-implemented method, comprising:  
2 starting a copy operation by copying data from a source storage device to a desti-  
3 nation storage device, the copy operation being performed in segments, and each segment  
4 having a range of data bytes of the source;  
5 receiving a write request to modify a requested range of data bytes of the source  
6 storage device while the copy operation is in progress, wherein the write request to mod-  
7 ify the requested range of data bytes is a write request range;

8           determining if the write request range falls within the range of data bytes of the  
9 | source storage device being copied;

10           determining, in response to the write request range being in the range of data  
11 | bytes of the source storage device being copied, if a particular range of the range of data  
12 | bytes of the source storage device to be modified by the write request range has been  
13 | written to a snapshot;

14           writing, in response to the range of data bytes of the source storage device to be  
15 | modified by the write request range having been written to the snapshot, the write request  
16 | to the source storage device; and

17           copying, in response to the range of data bytes of the source storage device to be  
18 | modified by the write request range having not ~~being~~ been written to the snapshot, the  
19 | particular range of the range of data bytes of the source storage device to the snapshot,  
20 | and then writing the write request to the source storage device.

1 | 40.   (Currently Amended) A system, comprising:

2 |       a destination storage device to store a copy from a source storage device;

3 |       a first process to initiate a copy operation of the source storage device wherein the  
4 | copy operation includes copying each block of the source storage device to the destina-  
5 | tion storage device, the copy operation being performed in segments, and each segment  
6 | having a range of data bytes of the source storage device;

7 |       the system to receive a write request to modify a requested range of data bytes of  
8 | the source storage device while the copy operation is in progress, wherein the write re-  
9 | quest to modify the requested range of data bytes is a write request range;

10 |       the system to determine if the write request range falls within the range of data  
11 | bytes of the source storage device being copied;

12 |       in response to determining that the write request range falls within the range of  
13 | bytes of the source storage device being copied, the system to determine if a particular  
14 | range of the range of data bytes of the source storage device to be modified by the write  
15 | request range have been written to a snapshot;

16           in response to determining that the particular range of the range of data bytes of  
17 the source storage device to be modified by the write request range have been written to  
18 the snapshot, the write request to be written to the source storage device; and

19           in response to determining that the particular range of the range of data bytes of  
20 the source storage device to be modified by the write request range have not been written  
21 to the snapshot, a second process to copy the particular range of the range of data bytes of  
22 the source storage device to the snapshot, and then the second process to write the write  
23 request to the source storage device.

1   41.   (Currently Amended) The system of claim 40, ~~further comprising:~~wherein the  
2 first process and the second process ~~is~~are executed on a file server and is ~~operable~~con-  
3 figured to control the source storage device and one or more other storage devices.

1   42.   (Currently Amended) The system of claim 40, ~~further comprising:~~wherein a list  
2 ~~comprising~~of source storage device data blocks to be copied is configured to be~~that are~~  
3 ~~reordered to increase copy speed~~.

1   43.   (Currently Amended) The system of claim 42, ~~further comprising:~~wherein the list  
2 of blocks to be copied is buffered while the system awaits further copy commands.

1   44.   (Currently Amended) The system of claim 40, ~~further comprising:~~wherein: the  
2 first process and the second process ~~are~~is configured~~operable~~ to insert control data be-  
3 fore and after a source storage device data block is copied.

1   45.   (Currently Amended) The system of claim 40, ~~further comprising:~~wherein the  
2 first process and the second process ~~is~~are configured~~operable~~ to specify a block size so  
3 that the storage system writes one or more fixed-size blocks.

1   46.   (Currently Amended) A method, comprising:

2 receiving a write request while a copy operation is in progress wherein the copy  
3 operation includes copying each block of the source to the destination, the copy ~~operating~~  
4 operation being performed in segments, and each segment has a range of data bytes of the  
5 source, the write request to modify a requested range of data bytes in a source storage  
6 device, wherein the write request to modify the requested range of data bytes is a write  
7 request range;

8 determining if the write request range being copied falls within a particular range  
9 of the range of bytes of the source storage device to be modified by the write request  
10 range being copied;

11 determining that the particular range of the range of bytes of the source storage  
12 device to be modified by the write request range have not been written to a snapshot;

13 in response to determining that the particular range of the range of bytes of the  
14 source storage device to be modified by the write request range have not been written to  
15 the snapshot, copying the particular range of the range of bytes of the source storage de-  
16 vice to be modified by the write request range to the snapshot before modifying the par-  
17 ticular range of the range of bytes of the source storage device;

18 updating a snapshot map, wherein the snapshot map indicates which blocks of the  
19 range of bytes are located in the snapshot; and

20 modifying the particular range of the range of bytes of data in the source storage  
21 device from the write request.

1 47. (Currently Amended) The storage system of claims 23, further comprising:

2 ~~the write request being placed in a first in first out queue~~ configured to buffer the  
3 write request in response to determining that the particular range of the range of data  
4 bytes of the source storage device to be modified by the write request range have not  
5 been written to the snapshot.

1 48. (Currently Amended) The method of claims 31, further comprising:

2 placing the write request in a first in first out queue in response to determining  
3 that the particular range of the range of data bytes of the source storage device to be  
4 modified by the write request range have not been written to the snapshot.

1 49. (Currently Amended) A computer-readable storage media containing executable  
2 program comprising instructions executed by for execution in a processor for the practice  
3 of a method of operating a server, comprising:

4 program instructions that receive~~receiving~~ at a source storage device a write re-  
5 quest issued from a file-storage system, the write request specifying a first range of data  
6 bytes of the source storage device, the write request being received while the source stor-  
7 age device is being copied to a destination storage device; and

8 in response to receiving the write request, program instructions that holding the  
9 write request in a cache;

10 program instructions that checking if the first range overlaps with a second range,  
11 wherein the second range is a particular range of the range of data bytes of the source  
12 storage device to be modified by the write request that is being copied to the destination  
13 storage device;

14 in response to the first range overlapping with the second range of data bytes of  
15 the source storage device to be modified by the write request if so, program instructions  
16 that copying the second range from the source storage device to the a snapshot;

17 program instructions that update~~ing~~ a snapshot map; and

18 program instructions that then-allowing the write request to write to the source  
19 storage device.

1 50. (Currently Amended) A method for making a copy of data in a database, compris-  
2 ing:

3 starting a copying operation of a source storage device to a destination storage  
4 device, wherein the copy operation is performed in segments and each segment is a range  
5 of data bytes of the source storage device, the copy operation started at a begin time;



6 maintaining a snapshot volume that includes each block of the source storage de-  
7 vice that has a write request directed to that block during the course of the copy opera-  
8 tion;

9 receiving a write request directed to a particular range of the range of data bytes  
10 to be modified by the write request range that currently is being ~~currently~~ copied to the  
11 destination storage device;

12 in response to determining that the particular range of the range of bytes to be  
13 modified by the write request range have not been copied to the snapshot volume, hold-  
14 ing the write request until the particular range of the range of bytes to be modified by the  
15 write request range are copied to the snapshot volume;

16 after completion of writing the particular range of the range of bytes to be modi-  
17 fied by the write request range to the snapshot volume, executing the write request on the  
18 source storage device to update the source storage device ~~with a changed data~~; and

19 copying the snapshot volume to the destination storage device, wherein the copied  
20 snapshot volume ~~in order to~~ maintains a copy of a data on the destination storage device  
21 as the data existed on the source storage device at the begin time.

1 51. (Currently Amended) A system to make a copy of data in a database, comprising:  
2 a process executing on a processor of the system configured to initiate a copy op-  
3 eration of a source storage device to a destination storage device, wherein the copy opera-  
4 tion is performed in segments and each segment is a range of data bytes of the source  
5 storage device, the copy operation started at a begin time;

6 the system configured to maintain a snapshot volume that includes each block of  
7 the source storage device that has a write request directed to that block during the course  
8 of the copy operation;

9 the system is further configured to receive a write request directed to the range of  
10 data bytes ~~being currently~~ being copied to the destination storage device;

11 in response to determining that a particular range of the range of bytes to be modi-  
12 fied by the write request range ~~have~~ has not been copied to the snapshot volume, the sys-

tem is further configured to hold the write request until the particular range of the range of bytes to be modified by the write request range are copied to the snapshot volume;

after completion of writing the particular range of the range of bytes to be modified by the write request range to the snapshot volume, the system is further configured to execute the write request on the source storage device to update the source ~~with a changed data~~; and

~~the system is further configured to copy~~copying the snapshot volume to the destination storage device, ~~in order wherein the copied snapshot volume is configured to~~ maintain a copy of a data on the destination storage device as the data existed on the source storage device at the begin time.

52. (Currently Amended) A computer-readable storage media containing executable program comprising instructions executed by~~for execution in a processor for the practice of a method of operating a server~~, comprising:

program instructions that starting~~ing~~ a copying operation of a source storage device to a destination storage device, wherein the copy operation is performed in segments and each segment is a range of data bytes of the source storage device, the copy operation started at a begin time;

program instructions that maintaining~~ing~~ a snapshot volume that includes each block of the source storage device that has a write request directed to that block during the course of the copy operation;

program instructions that receiver~~ceiving~~ a write request directed to a particular range of the range of data bytes to be modified by the write request range that currently is being ~~currently~~ copied to the destination storage device;

in response to determining that the particular range of the range of bytes to be modified by the write request range have not been copied to the snapshot volume, program instructions that holding~~ing~~ the write request until the particular range of the range of bytes to be modified by the write request range are copied to the snapshot volume;

program instructions that, after completion of writing the particular range of the range of bytes to be modified by the write request range to the snapshot volume, execute-

20 | ~~executing~~ the write request on the source storage device to update the source storage de-  
21 | vice ~~with a changed data~~; and  
22 |         program instructions that copying the snapshot volume to the destination storage  
23 | device, wherein the copied snapshot volume in order to maintains a copy of a data on the  
24 | destination storage device as the data existed on the source storage device at the begin  
25 | time.

1 | 53.     (Currently Amended) The storage system of claim 23, ~~further comprising; wherein~~  
2 | the storage system is ~~operable~~ configured to send one or more commands by using an  
3 | out-of-band protocol.

1 | 54.     (Currently Amended) The method of claim 31, further comprising:  
2 |         in response to determining that the write request range does not fall within the  
3 | particular range of the range of data bytes of the source storage device being copied, de-  
4 | termining if the write request range is directed to a next particular range of the range of  
5 | data bytes that ~~have~~ has not yet been written to the snapshot ~~copied~~; and  
6 |         in response to determining that the write request range is directed to the next par-  
7 | ticular range of the range of data bytes that have ~~has~~ not yet been ~~copied~~ written to the  
8 | snapshot, copying; the next particular range of the range of bytes not yet copied ~~written~~; to  
9 | the snapshot.